TARIKERE FOREST DIVISION, BHADRAVATHI.

Brief Notification dated 22nd December 1962.

Auction Sale of Timber.

No. 21/62–63. It is hereby notified for the general information that some or all the kinds and quantities of timber as detailed in Schedule available in the Government Timber Depots at Tarikere, N. R. Pura and Lakkavalli will be sold by public auction on the dates noted below by the Divisional Forest Officer or by any other Officer deputed by him for the purpose, subject to the following conditions :—

The sale commences at 9 A.M.

The intending bidders are requested to go through the sale conditions carefully as these are revised sale rules brought into effect.

SCHEDULE.

Kind	Tarikere Depot : 21st and 2nd January 1963 Cft.	Lakkavalli Depot : 24th January 1963 Cft.	N. R. Pura Depot : 26th January 1963. Cft.
Teak	7200	5084	31
Beete	5500	197	45
Honne	4500	211	—
Nandi	1800	533	383
Hunal	4500	616	1224
Mathi	7000	872	2275
Jambe	3500	—	—
Yethiga	—	76	—
Other kinds	1500	21	455
Teak Poles	—	8755 Nos.	—
Total ...	35000	7104 Cft. 8755 Poles.	4413

N.B.—If the sale is not completed on the dates notified, it may be continued on the subsequent dates also.

Sale Conditions.

1 No person who is black-listed or insolvent or defaulter or minor shall be allowed to bid.

2 The bidders from places outside the Indian Union are allowed to purchase the materials on the express condition that they pay the purchase money in full immediately the sale is concluded and that they make their own arrangements for the export permit, etc., for movement of timber to places outside Indian Union. This department can only furnish a certificate regarding the quantity of timber purchased ; beyond this, no further responsibility rests with this department in securing the export permit. Export of timber will be governed by the orders issued by the Government of India and Mysore from time to time.

3 No bids shall be accepted from any person until such person has signed the sale notice in token of his having accepted all the sale conditions.

4 Each person, shall before he is allowed to bid, deposit with the sale conducting officer either in cash or by demand draft at par value, on a recognised Bank. *i.e.*, the State Bank of Mysore, the State Bank of India, the Reserve Bank of India, payable to the District Forest Officer, Tarikere Division, Bhadravati as detailed below in token of good faith, as earnest money which sum shall be credited towards his one-fourth purchase money payable on conclusion of the sale. If he has not purchased any material, the sum so deposited shall be returned to him in due course. If the bidder commits a default to pay the one-fourth purchase money as per the sale conditions immediately after the sale this deposit shall be forfeited to Government and the material will be liable for re-sale at the original bidder's risk and cost immediately.

EMD. Rs. 200 if the value of timber he wishes to purchase does nos exceed Rs. 2,000.
„ Rs. 500 exceeding Rs. 2,000 and up to 10,000
„ Rs. 1,000 „ Rs. 10,000 „ 25,000
„ Rs. 2,000 „ Rs. 25,000 „ 50,200
„ Rs. 3,000 „ Rs. 50,000 (without limit.

(a) In the case of a successful bidder whose bid does not exceed the amount of earnest money paid the full value of the bid will be adjusted out of the deposit paid and the balance returned.

(b) Earnest money deposit and bids offered jointly will not be accepted.

(c) Persons intending to bid as agents of another must deposit with the sale conducting officer a legal power of attorney.

5 The sale conducting officer may accept or reject the deposit of any intending bidder without assigning any reason therefor.

6 The highest bidder shall ordinarily be the purchaser. The sale conducting officer may however reject any bid or stop the sale at any stage without assigning any reason therefor. The successful bidder, shall immediately after the lot or lots are knocked down in his favour by the sale conducting officer, affix his full signature (with his address) to the relative sale slip which contains the details of the lot No., the No. of logs, etc., and their total cubical contents, the bid offered and accepted and the value thereof and on such authentication, the sale shall be treated to have been concluded. In the case of Don-war bids the release of material will be permitted against the payment only, after the bid is accepted by the competent authority and the successful bidder is intimated of such acceptance by means of a registered notice acknowledgement due. This acceptance will be communicated within a period of 60 days from the date of sale, to the successful bidder who shall not withdraw his bid during the said period.

(a) If any lot is knocked down, "Don-war" the bidder of such lot will have to pay the one-fourth amount of the bid immediately on the conclusion of sale in addition to the State Sales Tax on the full purchase money and the remaining three fourth amount within the prescribed time specified in condition 12 (a) below on communication of the acceptance of the bid

(b) Sales-tax leviable on timber purchased is 2 per cent.

7 On the bid being accepted by the Sale Conducting Officer, the bidder shall pay forthwith on the date of bid (1) one-fourth amount of his bid inclusive of the deposit made as per condition (4) *supra* as deposit *plus* the State Sales Tax at the statutory rates on the full amount of the bid either in cash or by a demand draft drawn on the State Bank of India or the State Bank of Mysore or the Reserve Bank of India payable to the District Forest Officer, Bhadravathi Division or by deposit of Savings Bank Book of a Post Office situated within the State of Mysore containing sufficient balance at his credit to cover the said sum with the necessary withdrawal form authorising the District Forest Officer, Tarikere Division, Bhadravati to draw that amount.

(a) If the amount due, as above, on a bid is not paid at once, the bidder shall lose all claims to the lot or lots purchased, which shall be resold at his risk and cost and he shall be liable to make good any loss sustained by he resale and the amount of such loss shall be recovered from him under Section of the Forest Act. If there is any profit in the resale, the bidder shall have no claim on it.

8 Department measurements and classifications shall be final. The intending bidders are deemed to have inspected the timber and offered their bids accordingly. No complaints as regards description, quality, shortage or allowance for hallowe, etc., nor any claim thereof shall be entertained after the sale is concluded.

9 The purchasers from outside Mysore State should remit their dues either into any of the Treasuries in the State or by demand draft on any recognised Bank in Mysore State preferably the State bank of India or the State Bank of Mysore or the Reserve Bank of India. If the amount is paid by way of a demand draft, the date of encashment will be taken to be the date of payment of the outstanding for the purpose of interest and ground rent. Any incidental expenses incurred on encashing the demand draft will have to be borne by the purchasers concerned.

10 The materials will be sold in convenient lots. In the case of logs sawn sizes etc., the total No. of logs or pieces and their cubical contents will be given while in the case of poles, sleepers, etc., the total number will be given. Bids must be offered at so much per lot.

11 The Department will accept no responsibility to payments made in contravention of these rules.

12 The remaining three-fourth (¾) amount of the bid shall be paid into a Government Treasury within the jurisdiction of the State of Mysore, Reserve Bank of India/State Bank of India/The State Bank of Mysore and the receipted challan must reach the Forest Depot Officer, Tarikere, N. R. Pur and Lakkavalli within 6 calendar months after the closure of the auction or before the removal of the material whichever is earlier failing which, the lot or lots concerned shall be resold at the risk and expense of the original purchaser who shall be liable to make good to Government any loss arising out of such resale but shall not be entitled to the profits or any portion thereof resulting to Government by such resale. The loss sustained shall be recoverable from the defaulter together with the interest due at six and one-fourth per cent per annum on the balance purchase money (from the date it became due up to the date of its recovery) which he has failed to pay, as arrears of Land Revenue under Section 79 of the Mysore Forest Act, or any statutory modification thereof. In calculating the loss sustained the amount forfeited shall not be taken into account.

(a) Purchasers will have to make their own arrangements for obtaining challans. Non-receipt of challans will not be accepted as a valid reason for delay or default in payment.

13 Delivery of the timber purchased and paid for by the bidders shall be ex-Depot.

14 The material purchased whether paid for or not will remain in the Depot at the risk of the purchaser and the Government will not be responsible for its loss or damage by theft, fire and other natural agencies during the period it is allowed to remain in the depot.

15 Subject to the limit prescribed above, purchasers may pay portions of the amounts due in respect of the timber purchased by them and on such payment shall be entitled to the delivery of a proportional quantity of timber in full lots as noted in the slip. No lot shall be allowed to be removed until the whole price of the lot together with interest, etc., if any, is paid in full. For the purpose of calculating the interest due periods less than 15 days will be treated as half month and a period of or in excess of 15 days but less than a month as one month.

16 Timber purchased shall not be permitted to be removed by the purchaser unless.—

(a) its value excluding the amount held under deposit has been paid in full (the deposit being adjusted towards the final payment) together with interest, ground rent, if any;

(b) The timber sold is stamped by the Depot Officer;

(c) Its removal is authorised by the issue of a permit, (transit pass) in the prescribed form by the Depot officer.

17 All the materials purchased and paid for must be removed from the depot within twelve (12) calendar months from the date of closure of auction. Failure to comply with this condition will necessitate the payment of ground rent at the following rates:—

(1) For logs and transmission pole 0—6 (six naye Paise only) per log or per transmission pole per month or a fraction thereof.

(2) For sawn timber including sleepers and blocks, etc., 25nP (Twenty five naye Paise only) per ton or a fraction of a ton per month or a fraction thereof.

(3) For Poles pieces, and other materials not coming under categories (1) and (2) above 50nP. (Fifty naye Paise only) per stack or fraction of a stack per month or a fraction thereof.

The material sold being left at the purchasers own risk from the date of its sale any sold material lying in the depot after 24 (twenty-four) calendar months from the date of sale will be liable for resale at the risk of the original bidder without any prior intimation and the sale proceeds will be adjusted towards ground rent. The balance, if any, being forfeited to the Government. If the sale proceeds are not sufficient to cover the ground rent due, the deficit will be recovered from the defaulting purchaser as if it were an arrear of land revenue under Section 79 of the Mysore Forest Act revised up to 30th June 1956. Any sold material, if it happens to remain without a resale and unremoved within the abovementioned period of 24 months and if the District Forest Officer allows the bidder to remove the material, the purchaser will have to pay ground rent at the enhanced rate as under.—

(a) For the first year after abovementioned period of 24 months at double the rate mentioned above.

(b) For the second year at treble the rate.

In any case no purchaser shall allow his timber which has been paid for to remain in the depot for more than four years from the conclusion of the sale whereafter such paid for timber shall revert and become the absolute property of the State. The purchaser shall also be proceeded against for the recovery of ground rent due as an arrear of land revenue.

18 If any bidder's material prevents another bidder from removing his material in time, the bidder at fault shall be liable to pay the expenses incurred in removing the material belonging to his lot, if found to obstruct the passage of other material.

19 Transfer of rights over the timber purchased shall only be allowed on payment of additional ten per cent (10 per cent) over the amount of bid.

20 During the sale, if need be, the bids will be obtained through open tender (chits) from the bidders, whether to obtain bids through the open tender (chit) or not will be left to the discretion of the District Forest Officer.

21 Outstanding from the Forest Contractors, on account of Depot sales shall be recoverable from the bills due to them from this or other divisions.

22 Breach of any of the above conditions specified *supra* by the purchaser, will entail forfeiture to Government of all deposits paid by him. Further the timber already paid for and lying in the Depot will also be liable to be attached towards the balance due. The timber purchased whether paid or not will also be resold at the risk and expense of the original purchaser who will be liable to make good to Government any loss arising out of such resale but shall not be entitled to profits.

23 The loss sustained shall be recoverable as an arrear of land revenue under Section 79 of the Mysore Forest Act or any statutory modification thereof. In calculating the loss sustained, the amounts forfeited shall not be taken into account.

24 A registered notice shall be issued to the defaulting purchaser by the District Forest Officer intimating the amount realised by the resale of timber not paid for or not removed and the amount, if any, still due from him. If within (15) fifteen days of the service of the notice, the loss sustained by the Department is not made good, it shall be recoverable as an arrear of land revenue under Section 79 of the Forest Act.

N. B.—The defaulters are not entitled to prior intimation of the resale of the timber originally purchased by them.

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2147 *Divnl. Forest Officer I/c.*